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KG HOLDINGS, LLC, KIAHUNA
GOLF CLUB, LLC, KG KAUAI
DEVELOPMENT, LLC, PUKALANI
GOLF CLUB, LLC, KG MAUI
DEVELOPMENT, LLC, MILILANI
GOLF CLUB, LLC, QK HOTEL, LLC,
and OR HOTEL, LLC,

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD., a
Japan corporation,

Plaintiff,

vs.

QK HOTEL, LLC, a Hawaii limited
liability company, et al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware Corporation, et al.,

CV 04-00124 ACK-BMK
CONSOLIDATED CASES
CERTAIN KG DEFENDANTS'
MOTION TO EXPUNGE NOTICE
OF PENDENCY OF ACTION
FILED ON FEBRUARY 20, 2004;
MEMORANDUM OF LAW;
DECLARATION OF WAYNE
TANIGAWA; DECLARATION OF
ROBERT A. MARKS; EXHIBITS A-
C; CERTIFICATE OF SERVICE

DATE: _____

TIME: _____

JUDGE: Hon. Alan C. Kay

Third-Party Defendants.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,
Plaintiff,

vs.

PUKALANI GOLF CLUB, LLC, a
Hawaii limited liability company, et
al.,

Defendants,

and

FRANKLIN K. MUKAI,
Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Japan Corporation, et al.,

Third-Party Defendants

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

vs.

KIAHUNA GOLF CLUB, LLC, a
Hawaii limited liability company, et
al.,

Defendants,

and

FRANKLIN K. MUKAI,
Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Delaware Corporation, et al.,

Third-Party Defendants.

CV 04-00125 ACK-BMK

CV 04-00126 ACK-BMK

SPORTS SHINKO CO., LTD., a
Japan corporation,

Plaintiff,

vs.

OR HOTEL, LLC, a Hawaii limited
liability company, et al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware Corporation, et al.,

Third-Party Defendants.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

vs.

MILILANI GOLF CLUB, LLC, a
Hawaii limited liability company; et
al.,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party Plaintiff,

vs.

SPORTS SHINKO CO., LTD., a
Japan Corporation, et al.,

Third-Party Defendants.

CV 04-00127 ACK-BMK

CV 04-00128 ACK-BMK

**CERTAIN KG DEFENDANTS' MOTION TO EXPUNGE
NOTICE OF PENDENCY OF ACTION
FILED ON FEBRUARY 20, 2004**

Defendants PUKALANI GOLF CLUB, LLC ("PGC, LLC"), KG MAUI DEVELOPMENT, LLC ("KG Development"), and KG HOLDINGS, LLC ("KG Holdings") (collectively the "Defendants") by and through their attorneys, Price Okamoto Himeno & Lum, hereby move the Court to expunge Plaintiff Sports Shinko (USA) Co., Ltd.'s Notice of Pendency of Action, filed on February 20, 2004, and recorded in the Bureau of Conveyances of the State of Hawaii on February 23, 2004 as Document No. 2004-036087, and recorded in the Office of the Assistant Registrar of the State of Hawaii on February 23, 2004 as Document No. 3073328, and noted on Certificates 602,231 and 602,232 (the "Lis Pendens").

This Motion is made pursuant to Rule 7 of the Federal Rules of Civil Procedure, Haw. Rev, Stat. §§ 634-51 and 501-151, the attached memorandum and declarations, the argument of counsel, the reply memorandum to be filed and the record herein.

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DATED: Honolulu, Hawaii, June 27, 2006.

/s/ Robert A. Marks

WARREN PRICE III

ROBERT A. MARKS

Attorneys for Defendants

KIAHUNA GOLF CLUB, LLC,

KG KAUAI DEVELOPMENT, LLC,

PUKALANI GOLF CLUB, LLC,

KG MAUI DEVELOPMENT, LLC,

MILILANI GOLF CLUB, LLC,

QK HOTEL, LLC, OR HOTEL, LLC,

AND KG HOLDINGS, LLC